

REMARKS

Claims 1-8 are pending in this application. By this Amendment, claims 9-15 are added. Applicant requests reconsideration and allowance in view of the following remarks

Rejection Under 35 U.S.C. § 112:

The Examiner rejected Claims 1-8 under 35 U.S.C. § 112 in the Office Action dated June 20, 2005 and has indicated in the advisory action dated December 8, 2005 that the Applicant has failed to overcome the rejection in Applicant's response dated November 28, 2005. Applicant respectfully traverses the Examiner's rejection, reasserts the arguments previously put forth and will additionally supplement Applicant's previous arguments herein.

It appears that the Examiner has accepted Applicant's position that the "fixed planet carrier" of Applicant's claims is synonymous with a star gear. Applicant's main support for this position is still paragraph 0002 of this applications specification stating,

"the main transmission is often of the planetary gear type with fixed planet carrier (so-called "star gear" type)".

This argument was first put forth on page 4 of the Response to the Final Office Action of June 20, 2005. The Examiner has indicated her acceptance of this argument stating in the Advisory Action of June 20, 2005,

"Applicant's arguments pertaining to support for the limitation of "fixed planet carrier" is acknowledged..." Applicant presumes therefore, that the Examiner has accepted this much of Applicant's position.

The issue still unresolved appears to be the language, "fixed planet carrier being stationarily arranged relative to a casing of said transmission." With respect the underlined portion, Applicant believes they have set forth the required arguments to overcome this rejection.

In Applicant's response to the Non-Final Office Action of November 2, 2004, on page 6, Applicant stated,

"As recited in the claims, the present invention uses a fixed planetary carrier, which is represented in the Figures by bearings 11a and 11b that are fixed relative to the transmission casing 15 and that hold the shaft 10 used for supporting the planetary gears 5, 6. In the illustration, the carrier is fixed to the housing or casing, and hence the characterization as being a fixed planet carrier."

Applicant submits that Fig. 2 provides sufficient description to overcome the rejection. This is especially so when combined with the additional references Applicant submitted to show that a "star gear" is a well known phrase in the art, which term inherently suggests that the star gear does not rotate around the sun gear and therefore the carrier must be stationarily arranged relative to a casing of said transmission. Here is a reproduction of one passage Applicant has previously supplied in support of this position taken from US 6,223,616 to Sheridan at Column 1, lines 30-39:

A star system is similar to the above described planetary system except that the gear carrier is mechanically grounded, the ring gear is rotatable and the output shaft extends from the ring gear. Because the carrier is grounded, the "planet" gears cannot orbit the sun and therefore are referred to as star gears. In operation, the input shaft rotatably drives the sun gear, compelling each star gear to rotate about its own axis. The rotary motion of the star gears turns the ring gear, and hence the output shaft, in a direction opposite that of the input shaft.

Applicant submits that the above arguments, on their own and combined are sufficient to overcome the Examiner's rejection.

In view of the foregoing remarks Applicant respectfully requests the Examiner withdraw the rejection and send notice of allowance in the next Office communication.

NEW CLAIMS:

Claims 9-15 are added by this amendment. Applicant adds these claims to introduce claims directed to a star gear drive. These claims do not add any new matter and are supported by the originally filed application. Support can be found at least at paragraph 0002 of this application. For the Examiner's convenience one example of such support is the sentence the provides:

“the main transmission is often of the planetary gear type with fixed planet carrier (so-called “star gear” type)”.

Applicant respectfully requests the Examiner to enter new claims 9-15.

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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 7589.139.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

Novak, Druce & Quigg, LLP
1000 Louisiana, Suite 5300
Houston, Texas 77002
(713) 571-3400
(713) 456-2836 (fax)
tracy.druce@novakdruce.com

Respectfully submitted,



Tracy W. Druce, Esq.
Reg. No. 35,493